IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION
Dated: Nainital the August 19, 2006
Bail Application no. 741 of 2006
Order on the bail application of the accused

CRIMINAL SIDE

Naveen S/o Sudhir
R/o D-Colony I.I.T. Roorkee
Police Station Kotwali Roorkee
District Haridwar … Applicant

Vs

State of Uttaranchal …Opposite Party

Arising out of Case Crime No. 163 of 2006
Under Sections 363, 366, 376 I.P.C.
Police Station Kotwali Roorkee
District Haridwar

By the court

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime No. 163 of 2006 under Section 363, 366, 376 I.P.C. Police Station Kotwali Roorkee, District Haridwar.

Heard Sri Mohd. Safdar, learned counsel for the applicant, learned A.G.A. for the State and perused the record.

As per the First Information Report and the Statement of the prosecutrix reveals that the she was a consenting party throughout. She has also eloped with the accused/applicant on her own wish. The medical examination report shows that the age of the prosecutrix was found between 16 – 17 years.

Keeping in view the circumstances that the prosecutrix remained in the company of the accused for several days and she also traveled with the accused several places without any hue and cry as well as the age of the prosecutrix, I am of the view that it is a fit case for bail at this stage.

Let the applicant be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of Magistrate concerned.

(B.C. Kandpal, J.)

19.08.2006
ASWAL